

**REMARKS**

Claims 1-21 and 25-29 are pending. No new matter has been added by way of the above amendments. For instance, claim 21 has been amended to more clearly define the structure of the matrix as being within a mold cavity insert. Support may be found in the present specification at page 1, lines 5-11. Additionally, claims 25-27 have been amended to clarify the claim language. The dependency of claim 27 has also been corrected. Lastly, new claims 28 and 29 are supported by Figure 7 as well as the present specification at page 13, lines 12-15 and page 14, lines 23-25. Accordingly, no new matter has been added.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

**Issues Under 35 U.S.C. §112, second paragraph**

The Examiner has rejected claims 25-27 under 35 U.S.C. §112, second paragraph for the recitation of the terms "type" and "kinds". Applicants have amended the claims to avoid the use of these terms. Accordingly, this rejection is moot. Reconsideration and reconsideration thereof are respectfully requested.

Issues Under 35 U.S.C. §102(b)

The Examiner has rejected claims 21 and 25-27 under 35 U.S.C. §102(b) as being anticipated by Furthey et al., USP 5,840,407 (hereinafter referred to as Furthey '407).

The Examiner has also rejected claims 21, 25 and 26 under 35 U.S.C. §102(b) as being anticipated by Hwang et al., USP 4,902,553 (hereinafter referred to as Hwang '553). Applicants respectfully traverse each of the above rejections.

As a preliminary note, Applicants note that at pages 3-4 of the outstanding Office Action the Examiner has outlined various reasons for not considering certain limitations in claim 21. Applicants disagree with the Examiner. For instance, the Examiner has asserted that the first common layer (now "first layer") and the common carrier layer (now "carrier layer") are considered to modify the apparatus for making the article and not the article itself, and therefore are given no patentable weight. Applicants disagree with the Examiner in this regard. In particular, claim 21 relates to the matrix *per se*, which includes a first layer and a carrier layer. These are structural aspects according to the matrix and should not be ignored by the Examiner.

Regardless, Applicants respectfully submit that distinctions exist between the present invention and the cited art.

Distinctions Between the Present Invention and Furthey '407

The beveled glass of Furthey '407 is not suitable to be used as a matrix in moulding (mould cavity insert) of plastics. The primary reason is that the kind of glass referred to would normally crush under the heat and/or pressure conditions used in moulding or embossing of plastic material.

Further, the "beveling effect" of the glass in Furthey '407 is accomplished by adhering a microstructured film of plastics to the glass surface. The plastics referred to typically would deform under the heat and/or pressure conditions applied when moulding or embossing plastics and therefore cannot be used as master/matrix sections according to the present invention. Layer 40 of Furthey '407 is an adhesive. The corresponding layer in the presently claimed matrix is layer 7 which is not an adhesive in its normal meaning although there must be some kind of adhesion between carrier (8) and layer (7)/master/matrix (51) since the present matrix is a single piece unit.

Accordingly, significant patentable distinctions exist between the present invention and Furthey '407. In fact, due to the distinctions discussed above, one of ordinary skill in the art would not consult Furthey '407 if developing the presently claimed microstructured mould cavity inserts. Reconsideration and withdrawal of this rejection are therefore requested.

Distinctions Between the Present Invention and Hwang '553

Hwang '553 relates to diapers and the like. Diapers and the like are soft materials that typically deform under the heat and/or pressure conditions applied during moulding/embossing of plastics. Thus, this reference would never be considered in the development of the presently claimed microstructured mould cavity inserts. Hwang '553 is therefore non-analogous art and any rejection based thereon is considered improper. Reconsideration and withdrawal of this rejection are requested.

Accordingly, Applicants respectfully submit that the present claims are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested.

If the Examiner has any questions or comments, please contact Craig A. McRobbie, Registration No. 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to March 5, 2004 in which to file a reply to the Office Action. The required fee of \$110.00 is enclosed herewith.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional

Serial No.: 10/070,912

fees required under 37 C.F.R. § 1.16 or under § 1.17;  
particularly, extension of time fees.

Respectfully submitted,

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